

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAN - 9 2020

CLERK'S OFFICE
DETROIT

CASE NO. 03-cv-72701

MICHAEL WARD,

Petitioner,

v.

HUGH WOLFENBARGER, et al., ^{1/}

Respondent's.

HON. ARTHUR J. TARNOW
Senior U.S. Dist Ct Judge

PRO-PER ORAL ARGUMENT & EVIDENTIARY
HEARING REQUESTED

[Writ to Issue to Have Prisoner Brought to
Court]

Concurrence in this motion has not been sought
because the movant is an incarcerated prisoner
proceeding pro-se. ED L.R. 7.1(a)(C).

PETITIONER'S MOTION REQUEST FOR ORDER TO
RE-OPEN THIS CASE AS ACTIVE,
and
TO CONDUCT FORMAL INVESTIGATIVE HEARING ON
MATTER OF FRAUDULENTLY TAMPERING WITH AND FALSIFYING
U.S. DISTRICT COURT RECORDS

It has come to Petitioner's attention that a person or person's have fraudulently tampered with and falsified the records (docket entry) to show this case as "CLOSED." Petitioner has reason to believe Respondent's counsel(s), John S. Pallas and Linus R. Banghart-Linn may be involved in the illicit incident.

On 8/7/19 the Court entered its Op/Ord (Dkt# 355). On 8/16/19 the Clerk filed Petitioner's timely MOTION FOR RECONSIDERATION (of 8/7/19 Op/Ord)(Dkt# 357). To Petitioner's extreme prejudice, the Court has made no ruling post 8/7/19 on the motion for reconsideration, or any of the numerous other motions and pleadings filed thereafter, noting the last entry is #390. Petitioner speculates the reason being that someone with access to the Court record system (or access to a staff member who has such access), has

^{1/} Hugh Wolfenbarger was Warden at time of filing this habeas petition. The Acting Warden is currently "Willis Chapman".

fraudulently altered the record (docket entry) to falsely show this case as being "CLOSED."

Specifically, the docket sheet printed 7/9/19 correctly shows this case as "active"; however, subsequent print outs of the docket sheet (10/7/19 & 11/4/19) identify this case as being "CLOSED." On 11/4/19 the Court Administrator identified this case as being "closed," by attaching to Petitioner's 10/31/19 letter of complaint of "overdue rulings on motions," a copy of the docket entry printed 11/4/19, the word "CLOSED" in bright RED LETTERING.

On 1/3/2020 Petitioner, in the company of his "next friend" brother (Ken Ward) attempted to reach Judge Tarnow's chamber staff by phone, without success.

Petitioner requests he be writted out for personal appearance in the Courtroom, for purpose of conducting a formal hearing on the matter, in attempt to identify the perpetrator's; and the issuance of appropriate sanction.

WHEREFORE, good cause having been shown, Petitioner prays his motion be granted, and the Court promptly set a date and time for hearing, requiring Petitioner's presence and advance notice of such hearing. Petitioner further prays this Court instruct its staff to immediately take all measures to allow the record (docket entry - face page) to show this case remains OPEN/ACTIVE; and that the Court (Judge Tarnow) will personally take action in addressing all pending motions and pleadings Dkt#'s 356-390.

Date: 1/6/2020

Respectfully submitted,



Michael Ward #128267

Macomb Corr Fac

34625 26 Mile Rd

Lenox Twp., MI 48048

Petitioner/Pro-per

Date: 1/6/2020

Re: Ward v Wolfenberger, et al.
Case#: 03-cv-72701 (AJT)

Dear Clerk & Judge Tarnow:


ENCLOSED for filing and the Court's consideration is one (1) original of the below pleading. On this date, by way of separate mailing I have mailed a "judge's copy" to Judge Tarnow's chambers.

1. PETITIONER'S MOTION REQUEST FOR ORDER TO RE-OPEN THIS CASE AS ACTIVE, and TO CONDUCT FORMAL INVESTIGATIVE HEARING ON MATTER OF FRAUDULENT TAMPERING WITH AND FALSIFYING U.S. DISTRICT COURT RECORDS; and

2. Certificate/Proof of Service - See herein below.

Thank you for your time and assistance in processing this matter.

Sincerely,

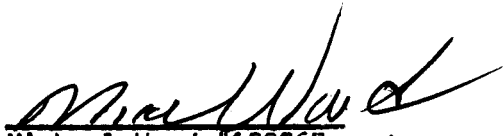

Michael Ward #128267
Macomb Corr Fac
34625 26 Mile Rd
Lenox Twp., MI 48048

Petitioner/Pro-per

CERTIFICATE/PROOF OF SERVICE

I, MICHAEL WARD, Petitioner herein, certify and declare under penalty of perjury that on 1/6/2020, I placed a copy of the above identified PETITIONER'S MOTION REQUEST FOR ORDER TO RE-OPEN THIS CASE AS ACTIVE, and TO CONDUCT FORMAL INVESTIGATIVE HEARING ON MATTER OF FRAUDULENT TAMPERING WITH AND FALSIFYING U.S. DISTRICT COURT RECORDS; and herein Certificate/Proof of Service, in the U.S. Mail, 1st class postage prepaid, addressed to the presiding judge, and opposing counsel of record: HONORABLE Arthur J. Tarnow, Senior USDJ, U.S. District Court, E.D. Mich., Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Room 124, Detroit, MI 48226; and LINUS BANGHART-LINN, Asst Mich Attorney General, Criminal Appellate Division, P.O. Box 30217, Lansing, MI 48909.

28 USC § 1746


Michael Ward #128267
Affiant/Petitioner

Prisoner Name: Michael Ward
Prisoner Number: 128267
MACOMB CORRECTIONAL FACILITY
34625 26 Mile Rd.
~~New Haven~~, MI 48048
Lenox Twp.,

DETROIT
MI 48201
07 JAN 20
PM 15 L

1/7/2020

RECEIVED

CLERK of the Court
U.S. District Court, E.D. Mich.
Theodore Levin U.S. Courthouse
231 W. Lafayette Blvd., Room 564
Detroit, MI 48226

JAN - 9 2020

CLERKS OFFICE
U.S. DISTRICT COURT

48226-271839

